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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,345	03/09/2004	Sridhar Krishnamoorthy	END920030147US1 (17238)	1976
23389	7590	08/29/2006	EXAMINER BROOKS, MATTHEW L	
SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530			ART UNIT 3629	
PAPER NUMBER				

DATE MAILED: 08/29/2006



Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/796,345	Applicant(s) KRISHNAMOORTHY, SRIDHAR	
	Examiner Matthew L. Brooks	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are not objected to under 37 CFR 1.83(a). Applicants response has satisfied Examiner.

Claim Rejections - 35 USC § 112

2. **Claim 19** was rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement and has now been corrected by Applicant.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-18** are rejected under 35 U.S.C. 102(b) as being disclosed by Non-Patent Literature: Web-site www.shopcollins.com as seen on the "Way back Machine" with an archive date of February 2, 2003; a print out of which is herein attached and shall be referred to as "**Collins**".

3. With respect to **Claim 1**: Collins discloses
creating a database containing a complete set of after sales service data,
including a plurality of equipment service data elements; (See Page 1, fn 1, 2, 5, 6, 7).
Inherently, Collins must have a database in order for a "user" to "obtain catalog data for Rockwell" or "Obtain pricing information for Service Parts, Training, and Technical Publications" (see fn 5) as to the additional "after sales" data Applicant is advised to

look to fn 6 wherein Registered Users can obtain order and shipping status, thus after the sale because is being shipped.

providing an access point for a user to access the database; (Inherently, Collins provided an access point, because it was on the world wide web (See Pages 1-3))

verifying that the user is authorized to access the database (See Page 1, fn 4, 6 and 9; and Page 3, fn 10); and

providing the user with interactive, collaborative access to said manufacturer and to the database over the Internet, in a secure manner if the user is authorized to access the database (See Page 1, fn 4, 6 and 9; and Page 3, fn 10), whereby said access provides the user with a virtual office to enter a variety of transactions using data elements in the database (See Page 1, fn 6 wherein Examiner considers a "virtual office" to be a place on the web that allows a user to do work; transactions include "order service parts" and "Purchase selected Technical Publications").

4. With respect to **Claim 2**: Collins discloses

wherein the plurality of equipment service data elements comprise data elements regarding at least one of: sales, customer history, equipment history, warranties, service calls, preventive maintenance, repairs, spare parts, accounts receivable, and accounts payable. (See Pages 1 and 3, fn's 1-10) Collins shows that users can "Obtain order and shipping status for any orders placed..." therefore inherently it must keep a customer history.

5. With respect to **Claim 3**: Collins discloses

wherein the user comprises at least one of: a customer, a potential customer, and a franchisee (See Page 1).

6. With respect to **Claim 4**: Collins discloses

wherein the access point is an Internet web site (See Pages 1-3, which was retrieved from the web).

7. With respect to **Claim 5**: Collins discloses

wherein the database is created by said manufacturer, said manufacturer manufacturers a product, and wherein the user is a service provider authorized by the manufacturer to service the product (See Pages 1-3, which are a print out of a web page created by the manufacturer of a product). Examiner also points to **Page 1, fn 8**; wherein Rockwell Collins explicitly authorizes a service provider to service the products and inherently the service provider must be a user.

8. With respect to **Claim 6**: Collins discloses

wherein the service data elements relate to at least one of: selling maintenance contracts, call management, franchisee management, spare parts sales, warranty management, and knowledge management (See Page 1, fn's 5-8). Examiner considers service parts to be spares and knowledge management to be anything dealing with knowledge of said customer.

9. With respect to **Claims 7 and 13**: Collins discloses

creating a database containing a complete set of after sales service data over the internet from a manufacturer, including a plurality of equipment service data elements; (See Page 1, fn 1, 2, 5, 6, 7). Inherently, Collins must have a database in order for a

“user” to “obtain catalog data for Rockwell” or “Obtain pricing information for Service Parts, Training, and Technical Publications” (see fn 5) as to the additional “after sales” data Applicant is advised to look to fn 6 wherein Registered Users can obtain order and shipping status, thus after the sale because is being shipped.

providing an access point for a user to access the database over the internet;
Inherently, Collins provided an access point, because it was on the world wide web
(See Pages 1-3)

verifying that the user is authorized to access the database (See Page 1, fn 4, 6 and 9; and Page 3, fn 10); and

providing the user with interactive, collaborative access to said manufacturer and to the database over the Internet, in a secure manner if the user is authorized to access the database (See Page 1, fn 4, 6 and 9; and Page 3, fn 10), whereby said access provides the user with a virtual office to enter a variety of transactions using data elements in the database (See Page 1, fn 6 wherein Examiner considers a “virtual office” to be a place on the web that allows a user to do work; transactions include “order service parts” and “Purchase selected Technical Publications”)..

10. With respect to **Claims 8 and 14**: Collins discloses

wherein the plurality of equipment service data elements comprise data elements regarding at least one of: sales, customer history, equipment history, warranties, service calls, preventive maintenance, repairs, spare parts, accounts receivable, and accounts payable. (See Pages 1 and 3, fn’s 1-10) Collins shows that users can “Obtain order and shipping status for any orders placed...” therefore inherently it must keep a

customer history. However, Applicant should note that this is non-functional descriptive data and the terminology used in Applicant's claim is not afforded much weight.

11. With respect to **Claims 9 and 15**: Collins discloses

wherein the user comprises at least one of: a customer, a potential customer, and a franchisee (See Page 1). Applicant should note that although Collins does disclose that the user is at least a customer or potential customer, it is irrelevant because the terms are simply a matter of terminology.

12. With respect to **Claims 10 and 16**: Collins discloses

wherein the access point is an Internet web site (See Pages 1-3, which was retrieved from the web).

13. With respect to **Claims 11 and 17**: Collins discloses

wherein the database is created by a manufacturer of a product, and wherein the user is a service provider authorized by the manufacturer to service the product (See Pages 1-3, which are a print out of a web page created by the manufacturer of a product). Examiner also points to **Page 1, fn 8**; wherein Rockwell Collins explicitly authorizes a service provider to service the products and inherently the service provider must be a user. Applicant should note that although Collins does disclose that the user is a service provider, it is irrelevant because the terms are simply a matter of terminology.

14. With respect to **Claims 12 and 18** Collins discloses

wherein the service data elements relate to at least one of: selling maintenance contracts, call management, franchisee management, spare parts sales, warranty

management, and knowledge management (See Page 1, fn's 5-8). Examiner considers service parts to be spares and knowledge management to be anything dealing with knowledge of said customer. However, Applicant should note that this is just data and the terms given to the data is simply non-functional descriptive matter.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

17. **Claim 19** is rejected under 35 U.S.C. 103(a) as being unpatentable over "Collins" in view of Official Notice.

Collins shows all of the limitations as described in claim 1 and also shows that the website is a "database and communications resource which is intended to improve the operational reliability of their products" (See page 3, fn 10). Because this is a database in which secure access is required, whomever has access and site is accessed allows the information to flow. Collins shows numbers to call for service calls

(fn 7) and inherently their own employees have access to this database and anyone who is given the password would allow the field information collected to pass on to any user (OEM or otherwise).

Collins does not show, per se, whom the exact users would be that would have access to the information collected on the web site and the database thereof.

However, in view of Official Notice that it is old and well known to allow service departments, design departments and quality departments access to information obtained from the field so the data may be used to better design and improve products quality and increase customer satisfaction. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Collins to allow the design department and quality departments or any other department some type of access to information obtained on the field in order to effectively use the information to improve products and services.

18. With respect to all the claims 1-19 and newly added **Claim 20** they are rejected under 35 U.S.C. 103(a) as being unpatentable over "Collins" in view of "Imaging Portals announces a strategic partnership with NetSilicon for development of ImageTrak 500n Device-to-Business (d2B) solution"; February 6th, 2002; Lester Anderson (Imaging Portals).

Collins teaches all of the steps claimed as shown above with the exception of the creating step including the step of providing an Internet Enabled Equipment and Appliance feature triggered by a repair event to offer predictive and need based repair service, and to study equipment usage and failure patterns; (emphasis added).

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Imaging Portals teaches the use of a Internet/network appliance that monitors and manages operating conditions, usage patterns and communicating data to authorized parties including service dealers and OEMs and end users (pg 1, A). Image Portals also feeds the information back after transaction is complete to underlying system (pg 1, B). Further and maybe most importantly Imaging portal offers predictive and need base repair service by allowing a party to identify specifically what maintenance is required and when a service call should be scheduled *in advance* of equipment failure (pg 2, C). All of the above is easily incorporated into manufactures products (pg 1, C). The business practice of offering such technological solutions at the time of filing was an old and well-established business practice. This practice is designed to build connectivity into electronic products (pg 2, D). It improves customer relations and helps to generate return business. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the method of providing an Internet Enabled Equipment and Appliance feature triggered by a repair event to offer predictive and need based repair service, and to study equipment usage and failure patterns; in the Collins reference as shown by Imaging Portals build customer loyalty, increase revenue and better manage their deployed products.

Response to Arguments

19. In response to the REMARKS submitted 6/5/2006. NOTE the applicant has not argued anything and has merely alleged that Collins does not show features (all allegations are found on Applicants remarks pg 9); which is why in turn in Examiner's response, Examiner merely states, for the most part that Collins does have the features or the arguments are moot because of the newly issued rejection.

20. With respect to page 9, first P; Collins certainly shows the flow of information from a database between service provider and an equipment manufacturer; and as to the exact parties involved in Claim 19 Official Notice was taken which has never been properly traversed.

21. With respect to page 9, 2nd P; the Collins reference does allow the service provider to obtain information such as service history, and account and billing info.

22. With respect to page 9 3rd P; Official Notice was taken for these purposes which has never been properly traversed. Further still the allegation is now moot due to the Imaging Portal reference and new rejection.

Conclusion

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Pub. No.: US 2002/0016655 A1 (Joao) Which shows a service provider [0018] hosted website [0026] which requires authorized access [0027] and a vast array of services [0028] with a comprehensive data base of the offered product [0029] and an array of training [0030] with the ability to diagnose the problem

[0033] and the customer histories including repairs [0034] with the possibility of obtaining data directly from the product.

B. Patent Number 6,003,078 (Kodimer et al).

C. EP 0 822 473 A2 30.07.1997 (Ogushi)

D. "How the Internet Works"; Relevant portions attached herein.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

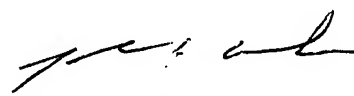
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew L. Brooks whose telephone number is (571) 272-8112. The examiner can normally be reached on Monday - Friday; 8 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-8112. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MLB
8/9/06



JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Notice of References Cited	Application/Control No. 10/796,345	Applicant(s)/Patent Under Reexamination KRISHNAMOORTHY, SRIDHAR	
	Examiner Matthew L. Brooks	Art Unit 3629	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-			
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
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	I	US-			
	J	US-			
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	L	US-			
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FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	"Imaging Portals announces a strategic partnership with NetSilicon for development of ImageTrak 500n Device-to-Business (d2B) solution"; February 6th, 2002; Lester Anderson (Imaging Portals)
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



Press Releases

Featured Articles

Imaging Portals announces a strategic partnership with NetSilicon for development of ImageTrak™ 500n Device-to-Business (d2B™) solution

February 6, 2002 (Simi Valley, CA) Imaging Portals Inc. (IPI), Leaders in Remote Monitoring®, and NetSilicon, Inc (NASDAQ: NSIL), the leading provider of integrated hardware and software for intelligent, networked devices announced today a development and manufacturing agreement for the ImageTrak™ 500N, a new intelligent device for IP?□s Device to Business (d2B) solution for the document imaging industry.

The ImageTrak™ 500N is a stand-alone network appliance that proactively monitors and manages the operating condition, consumables status, and usage patterns of imaging and multi-function peripherals (MFPs), communicating the collected data directly to authorized parties including servicing dealers, leasing companies, OEMs, and end users. The ImageTrak™ 500n features widespread compatibility with the newest-model document imaging hardware and can also be deployed within the substantial market of presently existing install bases.

About Imaging Portals, Inc.

The Leader in Remote Monitoring, is a solutions company whose primary focus is the collection of meter readings and other device status information from print output devices (copiers and printers) from all major printer/copier manufacturers. Imaging Portals' ImageTrak product line allow for a Fleet-Complete solution which collects meter readings from all devices, stand alone and networked, and aggregates the data into the ImageTrak Central Data Repository database. In addition to its comprehensive solutions product line, Imaging Portals owns the 9 major patents in the automated meter reading collection technology and licenses those patents to manufacturers who incorporate the technology into their own products. Imaging Portals maintains headquarters in Irvine California, with sales and support locations in Florida, Illinois and New Jersey.

PRESS CONTACT

Lester Anderson

Director of Business Development
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landerson@imagingportals.com

(B) collects data into Central Repository
(C) mfg incorporates into their own products

(A) studying patterns

(A) *collecting/analyzing data*

"This strategic partnership, combining IPI's product vision and patent-protected technologies with NetSilicon's expertise in intelligent device connectivity ensures that our customers will enjoy an entirely new way of collecting, managing, analyzing, and distributing valuable information on their entire fleets," said Mike Stramaglio, Chief Executive Officer at Imaging Portals. "By deploying our ImageTrak™ Device-to-Business (d2B™) solution, OEMs, resellers, fleet managers, and leasing companies are in a position to provide better service, receive accurate information, and reduce operating expenses by automating operational processes."

gather (B)

The ImageTrak™ 500N is a standards-based appliance capable of concurrent support for multiple MFPs manufactured by leading imaging products vendors. The 500n locates, monitors, and polls networked MFPs, gathering and reporting operational data and alarm conditions. The ImageTrak™ 500N enables copier and printer service organizations to directly monitor their install base through the Internet, allowing them to identify specifically what maintenance is required and when a service call should be scheduled in advance of equipment failure. This proactive approach to asset management extends equipment life and results in improved quality of service for the customer.

Predicting equipment failure (C)

(D) *Motivation to combine*

"The ImageTrak™ project we're undertaking with IPI beautifully illustrates how building connectivity into electronic products offers new ways for our customers to build customer loyalty, increase revenue and better manage their deployed products," said Hiro Kataoka, general manager of the Imaging group at NetSilicon. "Imaging Portals' application

and technology allow imaging appliances and MFPs with our device connectivity to communicate directly with their service and maintenance organization, and thus provides real end-to-end solutions." Availability of ImageTrak™ 500N is expected to in June 2002.

About NetSilicon

NetSilicon (Nasdaq: NSIL) designs and manufactures integrated platforms for manufacturers who want to build intelligence and Internet/Ethernet connectivity into their products. These platforms integrate system-on-silicon and software to provide a complete solution for Internet/Ethernet-connected products. The NET+Works platform allows manufacturers to shorten their time to market, reduce development risk, lower costs, and free their engineers from the difficult task of integrating multi-vendor networking components. NetSilicon is enabling device intelligence and connectivity in a broad range of industries, including office imaging telecommunications, building controls and security, and retail point-of-sale. NetSilicon's solutions are paving the way for the device-centric networks of tomorrow.

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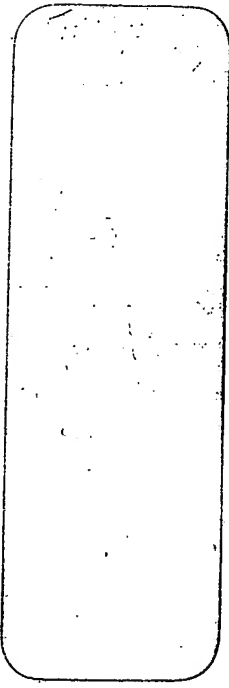
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